

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD BARRON,

Plaintiff,

No. CIV S-04-1197 GEB GGH P

vs.

DR. USHA PAI, et al.,

Defendants.

ORDER

On July 12, 2006, the court recommended that this action be dismissed based on plaintiff's failure to file a pretrial statement. On July 21, 2006, plaintiff filed a letter with the court stating that he requires appointment of counsel in order to proceed with this action.

The court has previously denied plaintiff's request for appointment of counsel. See Order filed June 28, 2006. The July 12, 2006, findings and recommendations are vacated and plaintiff will be granted an opportunity to file a pretrial statement. If plaintiff does not comply with this order, the court will again recommend dismissal of this action.

Accordingly, IT IS HEREBY ORDERED that:

1. The July 12, 2006, findings and recommendations are vacated;

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1 2. Plaintiff is granted thirty days from the date of this order to file a pretrial
2 statement; failure to comply with this order will result in a recommendation of dismissal of this
3 action.

4 DATED: 8/2/06

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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